

NO. 5:13-CV-421-FL

Defendant.

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“clear error,” and need not give any explanation for adopting the M&R. Diamond v. Colonial Life & Acc. Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005); Camby v. Davis, 718 F.2d 198, 200 (4th Cir.1983). Upon careful review of the record, “the court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1).

In this case, the magistrate judge recommended dismissing the complaint in part for the following reasons. First, the M&R demonstrates that plaintiff’s claims for predatory lending, fraud, misrepresentation, unfair debt collection practices, breach of fiduciary duty, and breach of contract are all conclusory and lack the factual details required by Rule 9. Similarly, the M&R concluded that plaintiff’s statutory claims and quiet title action against defendant failed for lack of specificity, or were misplaced where, for example, the National Housing Act does not provide a private right of action.

Plaintiff’s objection re-alleges the same facts in her complaint which were deemed insufficient to survive frivolity review in the M&R. Furthermore, plaintiff’s objection provides only conclusory assertions that do not direct the court to any particular error in the M&R. Upon *de novo* review, the court finds that such objection provides no basis to disturb the thoughtful analysis contained in the M&R. The court, therefore, adopts the magistrate judge’s analysis as its own.

CONCLUSION

Upon *de novo* review of those portions of the magistrate judge’s M&R to which a specific objection has been filed, and upon considered reviewed of those portions of the M&R to which no such objection has been made, the court ADOPTS the findings and recommendations of the

magistrate judge in full (DE 3), and DISMISSES plaintiff's complaint as frivolous. The clerk is directed to close this case.

SO ORDERED this the 20th day of August, 2013.

A handwritten signature in black ink, reading "Louise W. Flanagan". The signature is written in a cursive, flowing style.

LOUISE W. FLANAGAN
United States District Judge